

**EAGAR TOWN COUNCIL  
LEGAL ACTIONS  
JULY 5, 2011**

**CONSENT AGENDA**

APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETINGS HELD JUNE 2011

APPROVAL OF MINUTES OF THE EAGAR AND SPRINGERVILLE JOINT COUNCIL MEETING HELD JUNE 4, 2011

APPROVAL OF MAY 2011 BANK TRANSMITTALS 1-21 NATIONAL BANK OF AZ CHECKS WRITTEN FROM 30214-30399, PAYROLL DIRECT DEPOSIT VOUCHERS 5051101-5191140, CARD MEMBER SERVICE CREDIT CARD PURCHASES

Councilor Gary Finch requested to abstain from voting on the Consent Agenda, as he had not attended the June meetings from which the minutes are being considered.

Councilor Steve Erhart moved to approve the Consent Agenda as presented. Councilor Debbie Rogers seconded; five were in favor, Councilor Gary Finch abstained, motion carried. 5-1

**UNFINISHED BUSINESS**

DISCUSSION, CONSIDERATION AND SECOND READING OF ORDINANCE 2011-05 AMENDING THE EAGAR TOWN CODE SECTION 17 CHAPTER 17.04.050 – MINOR LAND DIVISIONS

Councilor Tim Rasmussen requested to abstain from voting on Ordinance 2011-05, as he had declared a conflict.

Councilor Debbie Rogers moved to approve Ordinance 2011-05 amending the Eagar Town Code Section 17 Chapter 17.04.050 – Minor Land Divisions. Councilor Gary Finch seconded; five were in favor, Councilor Tim Rasmussen abstained, motion carried. 5-1

**NEW BUSINESS**

DISCUSSION AND CONSIDERATION TO APPROVE THE FISCAL YEAR 2011-12 TENTATIVE BUDGET AND CAPITAL IMPROVEMENT PLAN

Councilor Steve Erhart moved to approve the fiscal year 2011-12 Tentative Budget and Capital Improvement Plan. Councilor Byron Smith seconded; all were in favor, motion carried unanimously. 6-0

DISCUSSION AND CONSIDERATION OF RESOLUTION 2011-24 SEEKING FINANCIAL AND POLITICAL SUPPORT TO ASSIST IN THE IMPLEMENTATION OF A 10-YEAR ECONOMIC PLAN FOR ROUND VALLEY AND SURROUNDING AREAS AFFECTED BY THE WALLOW FIRE TO RECOVER FROM THE DISASTROUS EFFECTS OF THE FIRE

Eagar Council Legal Action  
July 5, 2011

Councilor Steve Erhart moved to approve Resolution 2011-24 seeking financial and political support to assist in the implementation of a 10-year economic plan for Round Valley and surrounding areas affected by the Wallow Fire to recover from the disastrous effects of the fire. Councilor Debbie Rogers seconded; all were in favor, motion carried unanimously. 6-0

**DISCUSSION AND CONSIDERATION FOR THE EAGAR COUNCIL TO SUBMIT A LETTER TO ARIZONA DEPARTMENT OF TRANSPORTATION REQUESTING THEM TO STRONGLY CONSIDER RESURRECTING THE HIGHWAY USER REVENUE FUND (HURF) SWAP**

The Council directed Mayor Kim Holaway to submit a letter to the Arizona Department of Transportation requesting them to consider resurrecting the HURF Swap.

**DISCUSSION AND CONSIDERATION OF RESOLUTION 2011-23 APPROVING THE PAYMENT OF ADDITIONAL COMPENSATION TO CERTAIN FLSA-EXEMPT EMPLOYEES, SUBJECT TO AVAILABILITY OF APPROPRIATED FUNDS**

Councilor Debbie Rogers moved to approve Resolution 2011-23 approving the payment of additional compensation to certain FLSA-Exempt Employees, subject to availability of appropriated funds and to amend said Resolution 2011-23 by amending Paragraph 7 to state that Resolution 2011-23 be effective as of June 1, 2011. Councilor Byron Smith seconded; all were in favor, motion carried unanimously. 6-0

**EXECUTIVE SESSION AS ALLOWED BY A.R.S. § 38-431.03.3 - DISCUSSION OR CONSULTATION FOR LEGAL ADVICE WITH THE ATTORNEY OR ATTORNEYS OF THE PUBLIC BODY; AND A.R.S. § 38-431.03.4 DISCUSSION OR CONSULTATION WITH THE ATTORNEYS OF THE PUBLIC BODY IN ORDER TO CONSIDER ITS POSITION AND INSTRUCT ITS ATTORNEYS REGARDING THE PUBLIC BODY'S POSITION REGARDING CONTRACTS THAT ARE THE SUBJECT OF NEGOTIATIONS, IN PENDING OR CONTEMPLATED LITIGATION OR IN SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION**

Councilor Steve Erhart moved to go into Executive Session at 8:30 p.m. Councilor Byron Smith seconded; all were in favor, motion carried unanimously. 6-0

**RECONVENE INTO REGULAR SESSION**

**DISCUSSION AND CONSIDERATION OF ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION**

Councilor Gary Finch moved to reconvene into Regular Session at 9:00 p.m. Councilor Debbie Rogers seconded; all were in favor, motion carried unanimously. 6-0

No action was taken from the Executive Session.